

STATE OF MICHIGAN
COURT OF APPEALS

In re Estate of LOUISE ARVIN, Deceased.

SHARON LATZ, Personal Representative of the
Estate of Louise Arvin, Deceased,

Plaintiff-Appellant,

v

CARDINAL DEVELOPMENT COMPANY, d/b/a
OVID HEALTHCARE CENTER,

Defendant-Appellee.

UNPUBLISHED
March 1, 2005

No. 236820
Clinton Circuit Court
LC No. 01-009281-NZ

ON REMAND

Before: Murray, P.J., and Sawyer and Fitzgerald, JJ.

PER CURIAM.

In our original opinion in this case, we reversed the trial court's order granting summary disposition to defendant and denying plaintiff permission to file a second amended complaint. Thereafter, the Supreme Court vacated our opinion for reconsideration in light of their opinion in *Bryant v Oakpointe Villa Nursing Center*, 471 Mich 411; 684 NW2d 864 (2004).

After reviewing the decision in *Bryant*, we are satisfied that our original analysis and holding in this case is consistent with the reasoning in *Bryant*. Accordingly, we reaffirm our original opinion and reverse the trial court's order and remand for proceedings consistent with this opinion. The trial court should, of course, apply *Bryant* to any future issues in this case as the need may arise. We do not retain jurisdiction.

/s/ David H. Sawyer
/s/ E. Thomas Fitzgerald